Appln. No.: 10/711,190
Amendment dated July 29, 2008
Reply to Office Action of April 29, 2008

REMARKS/ARGUMENTS

The Office Action of April 29, 2008, has been carefully reviewed and these remarks are responsive thereto. No claims have been amended or withdrawn, and claims 27-32 are new. Claims 1-4, 6-14, and 16-32 thus remain pending in this application. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested.

Nonstatutory Double Patenting

Claims 1-4, 6-14, and 16-26 stand rejected under the judicially-created nonstatutory obviousness-type doctrine of double patenting as being unpatentable over claims 1-22 of U.S. Pat. No. 6,832,353. Applicants respectfully traverse this rejection and maintain that all claims are patentably distinct from U.S. Patent 6,832,353, at least insofar as the claims stand rejected under 35 U.S.C. § 102 and/or 35 U.S.C. § 103, whereas the claims of the '353 patent have been granted and issued by the USPTO. Upon determination that the claims of the present application are allowable, Applicants will reconsider submitting a terminal disclaimer to obviate any remaining double patenting issues.

Rejections Under 35 U.S.C. § 102

Claims 1, 3-4, 6-11, 13-14, and 16-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Pub. No. 2004/0174400 of Herigstad et al., hereinafter "Herigstad." Applicants respectfully traverse this rejection for at least the following reasons.

In order to reject a claim as anticipated under 35 U.S.C. §102, it is well established that a single prior art reference must teach every aspect of the claimed invention. MPEP § 706.02. Independent claim 1 recites, *inter alia*, "mapping each of a plurality of sections of the web page to at least one button of a plurality of buttons on a keypad of the small-screen device ... wherein said mapping is based on preexisting logical divisions of the web page unrelated to the keypad mapping." The Office Action, at p. 5 and at p. 10, contends that Herigstad discloses these features at paragraphs [0009] and [0010]. However, both these paragraphs of Herigstad are devoid of any teaching or suggestion of the recited features of independent claim 1:

> [0009] In accordance with a further aspect of the present invention, navigation options are output on an output device to generate a first output. Each output

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> option occupies a portion of the output that correlates to one of the numbered
> buttons on the electronic device. The output options are patterned on the first
> output to correspond to a physical layout of the numbered buttons. When a user of
> the electronic device selects one of the numbered buttons, a new set of navigation
> options are output on the output device. These new navigation options are
> associated with a selected button. The new navigation options are pattered [*sic*] to
> correspond with the physical layout of the numbered buttons and each option is
> correlated with one of the numbered buttons.
>
> [0010] In accordance with an additional aspect of the present invention, a first
> map of a geographic area is displayed on a display of an electronic device. The first
> map contains a site that a party wishes to locate. The map is partitioned into
> visually delimited regions and each region corresponds to a respective one of the
> numbered keys. Upon a user selecting a selected one of the numbered keys, a
> second map is displayed on the display. The second map depicts the region of the
> first map that corresponds to the selected one of the numbered keys. The second
> map contains more detail on the region.

Herigstad, paragraphs [0009]-[0010]. Nevertheless, the Office Action, at page 10, contends that

from paragraph [0010] of Herigstad, "[i]t is clear that dividing the first map of the geographic area

on the basis of preexisting logical divisions unrelated to the mapping process. [*sic*]" Applicants fail

to see where or how it is "clear" from this disclosure that Herigstad discloses mapping based on

preexisting logical divisions, as recited in independent claim 1, and therefore respectfully submit

that Herigstad fails to teach or suggest all of the features of independent claim 1. More specifically,

there is no indication of Herigstad regarding **how** the map is divided in the first place, and therefore

Herigstad does not teach or suggest the features of claim 1.

Moreover, while Herigstad may use the words "logical partitioning" in its disclosure,

Herigstad does not describe what it means by logical partitioning, and Herigstad lacks any teaching

or suggestion of mapping based on preexisting logical divisions, as recited in independent claim 1.

See Herigstad, paragraph [0028]. Instead, Herigstad merely discloses one embodiment that

"logically partitions a display into visually delimited regions. The regions may be separated by

explicit borders or by delimiting space." Herigstad, paragraph [0028]. In contrast to this scant

disclosure of Herigstad, the instant application discloses an example wherein:

> web page 201 is divided into Sections A, B, C, & D. Preferably, the sections are
> logical divisions of the web page, such as preexisting frames or tables within the
> web page, as are known in the art. Sections, however, are not required to
> correspond to frames when frames are present. Other bases for dividing a web page
> into sections include menu layouts on the web page, advertisements at the top
> and/or bottom of the page, lists of related hyperlinks, groups of text, etc.

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U.S. Patent Pub. No. 2005/0028086, paragraph [0034] (emphasis added). From this contrast, it may be observed that Herigstad's use of the words "logical partitioning" does not describe mapping based on preexisting logical divisions **of the web page**, as recited in independent claim 1, but rather uses some unknown and different methodology to divide the **display** into visually delimited regions.

Finally, Herigstad is devoid of any teaching or suggestion of mapping based on preexisting logical divisions, as recited in independent claim 1. In a general embodiment of Herigstad:

> visual information is displayed on the display of an electronic device, such as a mobile phone. The display is logically partitioned into distinct regions. [...] Each of the regions is associated with one of the keys on the keypad of the device. The visual information represents a selection option that a user may select by pressing the key that is associated with the region.

Herigstad, paragraph [0004]. In this passage and in others, Herigstad does describe partitioning a display, but nowhere does it teach or suggest mapping based on preexisting logical divisions, as recited in independent claim 1. Rather, and in contrast to mapping based on preexisting logical divisions, Herigstad merely describes partitioning a display where "[e]ach of the regions is associated with one of the keys on the keypad of the device." Herigstad, paragraph [0004]. Stated differently, Herigstad lacks any teaching or suggestion of what basis (if any) the regions of a display are associated with the keys on a keypad. For at least these reasons, Herigstad fails to teach or suggest all of the features of independent claim 1, and thus Applicants respectfully submit that independent claim 1 is allowable.

Independent claims 11, 21, and 24 recite similar features as independent claim 1, and thus these claims are allowable for substantially similar reasons as independent claim 1. Claims 3-4, 6-10, 13-14, 16-20, 22-23, and 25-26 ultimately depend from one of claims 1, 10, 21, and 24, and these claims are thus allowable by virtue of their dependence on their respective base claims, and further in view of the various features recited therein.

Rejections Under 35 U.S.C. § 103

Claims 2 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Herigstad in view of U.S. Pat. No. 6,516,202 to Hawkins et al., hereinafter "Hawkins." Applicants respectfully traverse this rejection for at least the following reasons.

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Claims 2 and 12 depend from independent claims 1 and 11, respectively, and are thus allowable for at least the same reasons as independent claims 1 and 11 by virtue of their dependence, and further in view of the various features recited therein.

New Claims

Claims 27-32 are new, but do not add new matter to the instant application. Support for claims 27-32 may be found, for example, in at least paragraph [0034] of the published specification:

> Preferably, the sections are logical divisions of the web page, such as preexisting frames or tables within the web page, as are known in the art. Sections, however, are not required to correspond to frames when frames are present. Other bases for dividing a web page into sections include menu layouts on the web page, advertisements at the top and/or bottom of the page, lists of related hyperlinks, groups of texts, etc. For example, [i]n FIG. 2, Section A may correspond to an advertisement at the top of the web page. Section B may correspond to a menu on the left side of the web page. Section C may correspond to a main body of the web page, including text, links, etc., and Section D may correspond to a list of related web sites that may provide additional information to the user.

U.S. Patent Pub. No. 2005/0028086, paragraph [0034]. With regard to these new claims, Applicants respectfully submit that claims 27-32 are allowable by virtue of their dependence on independent claim 1, and further in view of the various features recited therein.

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CONCLUSION

All issues having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: July 29, 2008   By: _____/Ross Dannenberg/_____

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